SpencerFane®

Diana Lyn Curtis Shutzer

Partner

Contact

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Overview

Diana Lyn Curtis Shutzer provides practical, business-focused counsel in the areas of government contracts, construction, and bankruptcy law. A seasoned attorney with prior in-house experience managing federal compliance for a large national general contractor, she brings an insider's perspective and a deep understanding of the complex challenges facing the construction and government contracting industries.

As a member of the firm's construction and government contracts teams, Diana heavily focuses on federal compliance and high-risk regulatory matters. She counsels companies facing significant exposure under statutes such as the False Claims Act, Anti-Kickback Act, and Combating Trafficking in Persons regulations, and conducts internal investigations related to alleged misconduct. Drawing on her experience overseeing a federal compliance program for a leading U.S. contractor, she provides pragmatic, actionable guidance tailored to real-world business operations. Notably, she has managed more than 1,400 False Claims Act-related matters at the U.S. District Court for the Eastern District of Virginia.

Diana maintains a national practice representing contractors, subcontractors, architects, engineers, and other stakeholders in large-scale government and commercial construction and infrastructure projects. She advises clients on a wide range of contract matters and manages complex disputes involving claims, defective specifications, differing site conditions, delays, acceleration and lost productivity, mechanic's and material liens, professional liability issues, contract terminations, and Miller Act claims. An experienced litigator, she has successfully handled high-stakes disputes across multiple jurisdictions.

Diana also advises clients on financial restructuring, insolvency, and bankruptcy matters. She represents a broad range of stakeholders – including debtors, creditors, committees, and trustees – in Chapter 7, Chapter 11, and Subchapter V proceedings, as well as in out-of-court workouts and adversary proceedings. With in-depth insights on construction, design, and engineering company bankruptcies, she helps clients develop efficient strategies to navigate financial distress and achieve their business objectives.

Education

- Regent University School of Law, 2015 (J.D.)
- Pennsylvania State University, 2010 (M.S.)
- Virginia Tech, 2003 (B.A.)

Bar Admissions

- District of Columbia
- Virginia
- Maryland

Court Admissions

- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Federal Claims
- U.S. District Court for the District of Columbia
- U.S. District Court for the Eastern District of Virginia
- U.S. Bankruptcy Court for the Eastern District of Virginia
- Civilian Board of Contract Appeals
- Armed Services Board of Contract Appeals
- Government Accountability Office Contract Appeals Board

Distinctions

- *Chambers USA*, Washington, D.C., Construction Law, 2025-2026
- *Best Lawyers in America*, Ones to Watch, Construction Law, 2021-2026

Memberships

- American Bar Association, *Under Construction*, Editor; Forum on Construction Law; Public Contracts Law Section
- Society of American Military Engineers
- Society of Corporate Compliance and Ethics

Presentations and Publications

- "DOJ Directive Gives Contractors A Fraud Risk Road Map," *Law360*, October 2026
- "Contractor Compliance and Internal Investigations: New Practical Strategies for Unpredictable Times," American Bar Association, *The Procurement Lawyer*, Summer 2025
- "Contractor Compliance and Internal Investigations: Practical Strategies for 2023 and Beyond," American Bar Association, *The Procurement Lawyer*, Winter 2023
- "Pros & Cons of Pre-Discovery Mediation in Mega Bankruptcy Adversary Proceedings," *Journal of Corporate Renewal*, April 2022
- "Miller Act Claims: Finding Protections and Preserving Your Rights," *ConsensusDocs*, November 2021
- "The Role of the Trustee in Subchapter V Cases," *Journal of Corporate Renewal*, April 2021

Related Experience

- Represented a Service-Disabled Veteran-Owned Small Business joint venture in successfully defending a size protest before the Small Business Administration (SBA) challenging the joint venture's small business status in connection with a Department of Veterans Affairs construction procurement. The protestor alleged the joint venture was affiliated with its mentor's billion-dollar parent enterprise and violated the ostensible subcontractor rule. SBA dismissed the protest in its entirety for lack of specificity, confirming that the joint venture's SBA-approved mentor-protégé relationship entitled it to the applicable exception to affiliation and that the joint venture was operating exactly as the mentor-protégé program contemplates.
- Served as sole litigation counsel for a legal technology company in a federal lawsuit challenging an unprecedented Bureau of Industry and Security directive that ordered the immediate suspension of access to commercially deployed AI models for all foreign nationals. The directive, the first known use of federal export control powers to restrict access to hosted AI software, gave the technology provider approximately ninety minutes to comply under threat of criminal and civil penalties, resulting in the models being disabled for hundreds of millions of users worldwide. The case raised first-impression questions regarding the limits of executive export control authority over AI technology, the application of the Export Control Reform Act to hosted AI model access, and whether providing access to a commercially hosted AI model constitutes an "export" or "deemed export" under the Export Administration Regulations. Filed the complaint, a motion for preliminary injunction with supporting declarations and briefing, and a motion for judicial notice in the U.S. District Court for the District of Columbia.
- Represented a construction company and its prime contractor in litigation of a claim related to the repairs to a transportation Command Dock at Naval Weapons Station in Charleston, South Carolina. The project was plagued by numerous differing site conditions that caused Slone to experience extensive delays and incur additional fees. After a four-day trial at the U.S. Court of Federal Claims, client was awarded $1.25 million.
- Protested the National Aeronautics and Space Administration award decision for the Facilities Engineering Design and Inspection Services Contract at Marshall Space Center. The client appealed to the Court of Federal Claims, which granted its motion for judgment on the administrative record, remanded the case to the Agency for reconsideration and awarded attorneys' fees.
- Represented an international design-build contractor in prosecuting multimillion-dollar claims against the General Services Administration involving the design and construction of a subterranean Central Utilities Plant for the U.S. Department of Homeland Security's new headquarters at the historic former St. Elizabeths West Campus in Anacostia before the U.S. Court of Appeals for the Federal Circuit.
- Represented a major construction company in litigating a variety of disputes arising out of the $55 million Hospital Addition and Century Utility Plant Replacement at the Joint Base Langley-Eustis, VA against its mechanical and plumbing subcontractor for ongoing defaults and delays.
- Provided legal advice related to small business utilization on federal and private contracts, drafting subcontracting plans and participation plans, supporting small business utilization efforts, and creating processes and controls to manage federal and state regulatory requirements involving $2.5 billion in federal work and $3 billion in private work.
- Advised a construction company in navigating the Small Business Administration's Mentor-Protégé program with its protégé, forming the joint venture entity and preparing it for federal work acquisition as well as assisting with Federal Acquisition Regulation compliance.
- Represented a project management company in successfully arbitrating and resolving a multimillion-dollar construction dispute with an HVAC contractor involving alleged delays, lost productivity and unpaid contract balances arising from the renovation of buildings 302 and 336 at the Dupont Experimental Station in Wilmington, DE.
- Represented a major national civil engineering and design firm in a dispute involving a massive public transit expansion project.
- Advised an international energy and services company on all aspects of U.S. federal government construction compliance, specifically related to its utility distribution infrastructure related to a federal Indefinite Delivery, Indefinite

Quantity (IDIQ) contract valued at $55 billion.

- Represented official committee of unsecured creditors in Chapter 11 cases in the U.S. Bankruptcy Court for the Southern District of Florida, the District of Delaware, and the District of Alabama.
- Represented the directors and officers in a Chapter 7 case in the U.S. Bankruptcy Court for the Bankruptcy Court for the Eastern District of Virginia.
- Represented a debtor and a Subchapter 5 trustee in the Chapter 11, Subchapter 5 case in separate cases before the U.S. Bankruptcy Court for the Eastern District of Virginia.
- Represented a creditor in a Chapter 11 case in the U.S. Bankruptcy Court for the District of Delaware.
- Represented a creditor in a Chapter 7 case in the U.S. Bankruptcy Court for the District of Nevada.
- Represented the liquidating trustee in 1,400 preference actions in a Chapter 7 case in the U.S Bankruptcy Court for the Eastern District of Virginia.
- Represented the debtor in the Chapter 11, Subchapter 5 case of a medical device company in the U.S. Bankruptcy Court for the District of Maryland.
- Represented an engineering firm that was an unsecured creditor in a Chapter 11 case in the U.S. District Court for the District of Delaware.
- Served as special transactional counsel for the trustee of the sole owner of a stable that is the owner of a Triple Crown-winning racehorse and also filed for Chapter 7 bankruptcy in a Chapter 7 case filed in the U.S. Bankruptcy Court for the District of New Jersey. Obtained a global settlement with multiple parties with a total settlement value of $6.5 million.